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Fax Transmission | June 30, 2004

TO: Commissioner for Patents
Attn: Examiner Unknown
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Joshua N. Randall

OUR REF: 12929.1107USU1
TELEPHONE: 612.371.5387

Total pages, including cover letter: 4

PTO FAX NUMBER 1.703.872.9306

If you do NOT receive all of the pages, please telephone us at 612.336.4664, or fax us at 612.332.9081.

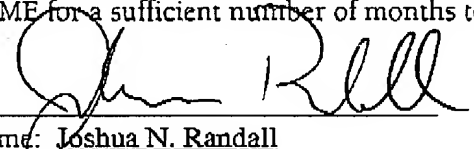
Title of Document Transmitted:

**INFORMATION DISCLOSURE
STATEMENT (37 C.F.R. § 1.97(b)); AND
FORM 1449**

Applicant: HENRY ET AL.
Serial No.: 10/777,791
Filed: FEBRUARY 12, 2004
Group Art Unit: 3749
Our Ref. No.: 12929.1107USU1

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By:


Name: Joshua N. Randall
Reg. No.: 50,719

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Andrew Endrix
Signature

6/30/04
Date

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JUN 30 2004

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S/N 10/777,791

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|---|-----------------|----------------|
| Applicant: | HENRY ET AL. | Examiner: | UNKNOWN |
| Serial No.: | 10/777,791 | Group Art Unit: | 3749 |
| Filed: | FEBRUARY 12, 2004 | Docket No.: | 12929.1107USU1 |
| Title: | AIR CONTROL FOR A CLEAN BURNING FIREPLACE | | |

CERTIFICATE UNDER 37 CFR 1.8(b):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on
June 30, 2004.

By:

Name: Andrea Endris

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

as being considered and initialed by the Examiner, to the undersigned with the next official communication.

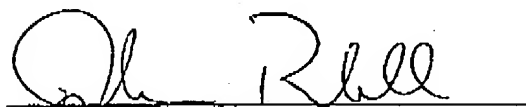
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date:

June 30, 2004



Joshua N. Randall
Reg. No. 50,719
JNR:ac

Date Mailed: June 30, 2004

Sheet 1 of 1

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|---|---|--|
| FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: 12929.1107USU1 | Application Number: 10/777,791 |
| | Applicant: HENRY ET AL. | |
| | Filing Date: FEBRUARY 12, 2004 | Group Art Unit: 3749 |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|--------------|------------|---------------|-------|----------|-------------------------------|
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | 4,141,336 | 02/07/1979 | Fitch | | | |
| | 4,766,876 | 08/30/1988 | Henry et al. | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|--------------|------|---------|-------|----------|-------------|----|
| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | YES | NO |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
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PATENT TRADEMARK OFFICE

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|---|------------------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |

*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE